



Meeting Date: 9-18-13

Agenda Item: 3

Board of Architectural Review

DATE: September 18, 2013
TO: Board of Architectural Review (BAR) Chair and Members
THROUGH: David Hudson, Director, Community Development & Planning Division 
FROM: Mike Jaskiewicz, AICP, BAR Liaison 
SUBJECT: **10742 – 10764 Main Street (Oak Knoll Apartments) repaint**

ATTACHMENTS: 1. Relevant Code Sections
2. Plans and Materials
3. BAR Administrative Approval A-984-13-1 (13070019) 08-01-2013

Nature of Request

1. Case Number:	BAR 984-13-2 (No. 13090072)
2. Address:	10742 – 10764 Main Street
3. Applicant:	Oak Knolls Realty Corporation
4. Applicant's Representative:	Lynne Strobel
5. Status of Representative:	Attorney/Agent
6. Zoning:	RM Multifamily

Request: Proposed repainting of the exterior facades of all five Oak Knoll Apartment residential buildings on the subject site

Staff Comments

Site Background:

The subject 6.037 acre site, with a street address of 10742 – 10764 Main Street, is a garden-style apartment complex built in 1962 that consists of five three-story brick residential buildings located in a north-facing U-configuration oriented around a central community green. A freestanding storage shed is located within the community and surface parking lots generally ring the entire site.

Each residential building has a flat roof and has exterior facades constructed of reddish-tan natural clay brick with glass windows and sliding glass doors. These buildings also feature rear-facing balconies or patios that open to the site's central community green, little or no fenestration on each of the buildings' side facades, and building fronts that feature exterior bricked staircases that project outward from the facades, exposed pedestrian walkways at each floor with black wrought-iron railings that provide primary access to individual apartments, and narrow sections of continuous rectangular windows at head height to each residential dwelling unit. The exposed

pedestrian walkways align in a vertical manner along the exterior-facing facades, so that the floor of one level serves as the ceiling of the level below.

The applicant recently acquired the subject property and received BAR administrative approval to make some minor updates to the property. These approved updates included replacement of an existing split-rail wooden fence with a wrought-iron aluminum metal railing, painting the various site residential buildings' trim and fascia pieces a different color (Sherwin Williams Gray Area, which is a greenish-gray putty color), and updating the site's existing monument sign that identifies the Oak Knoll Apartments.

Request

The applicant's BAR submission is a request to repaint the front and side facades of the existing residential buildings with a proposed Benjamin Moore 'Barren Plain' Gray (BM-2111-60) gray color and to also utilize this same paint and color in lieu of the recently-approved Sherwin Williams Gray Area (SW-7052) greenish-gray 'putty' color to affect an overall monochromatic appearance to enliven the existing buildings and improve an otherwise drab façade and give the buildings a newer and more residential appearance.

The applicant has also indicated that the requested façade painting will also help seal the old brick which is being penetrated by water due to the brick's softness and age. The applicant indicates that water infiltration is a serious problem for the existing apartment units on the subject site.

Analysis

Listed below are excerpts from the City's Comprehensive Plan that apply to the entirety of the subject site. The Community Appearance Plan, while addressing various site and building design issues to ensure neighborhood compatibility, is limited to the City's downtown and transition areas and the two primary vehicular corridors (Main Street and Fairfax Boulevard), and does not contain recommendations in regards to the subject site.

Land Use Plan

Future Land Use

"The following principles of land use, designed to achieve an optimum balance in the future land use mix, are reflected in the goals and objectives of the Comprehensive Plan:

- Preserve and develop a unique sense of place
- Promote economic development
- Preserve and enhance existing residential neighborhoods and commercial centers
- Preserve and enhance the quality of the City's physical environment
- Accommodate and coordinate transportation links and improvements, including an emphasis on pedestrian access and usability

- Encourage concentrated and unified development of future projects
- Provide guidance for quality infill projects
- Encourage redevelopment of nonconforming properties
- Establish transition zones between commercial and low density residential uses.” (pgs. 164, 165)

6. Main Street

b. West of Downtown “...Despite its stable land use pattern, opportunities for redevelopment within this portion of Main Street exist. Oak Knoll Apartments, a garden-style layout built in the early 1960’s, is located on a 6 acre parcel in the northeast corner of Oak and Main Streets. Its dated design, internal orientation, and lack of amenities don’t position the complex well for the future. Redevelopment of the property should: be oriented toward the streets, be sympathetic to the adjacent lower-intensity residential neighborhood in terms of buffering and architecture, and have usable open space. Office use along the Main Street frontage, similar in scale to the nearby properties, could also be considered as part of a redevelopment project.” (pg. 175)

Oak Knoll Apartments were initially designed as walk-up apartments but are of a dated style that when viewed from off-site and from adjacent public rights-of-way do not have the same architectural features found on typical walk-up garden apartment buildings, such as discernible individual apartments with individualized balconies and sliding glass doorways that have been personalized to reflect the presence of residential tenants, traditional double-hung windows, or window furnishings reflective of individual residential tenants within. The starkness of these external facades and the blandness of the modern appearance of the resultant architecture blurs the line between buildings used for office or commercial purposes and those used as residences.

Staff believes that the applicant’s request to pursue painting of the site’s residential buildings’ exterior facades in a monochromatic color scheme that does not include any accent colors, as previously administratively approved for the buildings’ trim and fascia pieces, will give these buildings a newer appearance and will not diminish the buildings’ residential appearance.

Recommendation

Staff believes that the applicant’s request to repaint the facades is an acceptable solution to both the issue of unacceptable water intrusion and to the need to freshen up and modernize the appearance of this aging residential apartment complex.

Staff recommends that the BAR approve the applicant’s requests subject to the following condition:

1. All construction shall conform to the attached plans and specifications, except as may be modified by the Board of Architectural Review or the Director of Community Development and Planning, and as modified by these conditions.

Relevant Regulations

Attachment 1

Sec. 110-1071. Designation of districts.

(a) The architectural control overlay district is hereby designated as all land in the city which is located outside an historic district and zoned for other than single-family detached residences. In addition, any lot, parcel or area of land within any area zoned for single-family detached residences outside an historic district which is used for other than single-family detached residences or which is the subject of an application for a special use permit or building permit involving any such other use shall be part of the architectural control overlay district. The provisions of this article shall not apply to single-family attached residences after such residences have been initially erected.

Sec. 110-1072. Approval required for improvements.

(a) No structure or improvement located on any land within the architectural control overlay district, including significant landscape features appurtenant to such structure or improvement, shall be erected, reconstructed, altered or restored until the plans for the exterior architectural features and landscaping have been approved by the board of architectural review or the city council in accordance with the provisions of article XIX of this chapter. Plans for signs appurtenant to new and renovated shopping centers, and as otherwise provided for multi-tenant commercial buildings in subsection 110-180(b) shall also be subject to board of architectural review or the city council approval. The board of architectural review shall confine its review and approval to only those features which are subject to view from a public street, way or place. The provisions of this article shall not apply to regular maintenance of a structure, improvement or site; however, an exterior color change of a structure, or substantial portion thereof, shall be deemed an alteration and not regular maintenance.

Sec. 110-915. Powers and duties.

The board of architectural review shall have the following powers and duties:

(2) To review and decide any application requesting approval for exterior architectural features of any structure, improvement or significant landscape feature associated with such structure or improvement to be erected, reconstructed or substantially altered in an architectural control district.

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BAR No: _____

Pentamation No: 13090072

**CITY OF FAIRFAX
BOARD OF ARCHITECTURAL REVIEW
APPLICATION FOR CERTIFICATE OF APPROVAL**

Applicant: Oak Knolls Realty Corp. Phone: 703-836-1634Applicant's Address: 800 Slaters Lane, Alexandria, Virginia 22314Applicant's Representative: Lynne J. Strobel, attorney/ Phone: 703-528-4700
agentRepresentative's Address: Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Boulevard, Suite 1300, Arlington, Virginia 22201Property Owner: Oak Knolls Realty Corp.Owner's Address: 800 Slaters Lane, Alexandria, Virginia 22314

I hereby certify that the representative named above has the authority vested by me to commit to design changes, and otherwise represent me as property owner to the Board of Architectural Review. The information provided on this application is accurate to the best of my knowledge. I understand that I must comply with all conditions of the Certificate of Approval as well as all other zoning requirements.

Lynne J. Strobel September 11, 2013
Property Owner's Signature Date
Lynne J. Strobel, Attorney/Agent for Oak Knolls Realty Corp.

Project Name: Oak Knoll ApartmentsProject Location: 3979 Oak Street, Fairfax, Virginia 22030Project Description: 110 Unit Garden Style Multi-Family Apartment BuildingLot Area: 6.03 acres Structure Sq. Ft. (existing) 71,992 sq. ft. (proposed) unchanged

-----Office Use Only-----

Tax Map Number: 57102 116 Fee Paid: \$125.00 Receipt Number: 35821

Rev. 03/09

AFFIDAVIT

Lynne J. Strobel,
I, Attorney/Agent, do hereby make oath or affirmation that I am an applicant in
Application Number _____ and that to the best of my knowledge and belief, the
following information is true:

1. (a) That the following is a list of names and addresses of all applicants, title owners,
contract purchasers, and lessees of the property described in the application, and if any of the
foregoing is a trustee, each beneficiary having an interest in such land, and all attorneys, real
estate brokers, architects, engineers, planners, surveyors, and all other agents who have acted on
behalf of any of the foregoing with respect to the application:

Name	Address	Relationship
<u>See Attachment A</u>		

(b) That the following is a list of the stockholders of all corporations of the foregoing
who own ten (10) percent or more of any class of stock issued by said corporation, and where
such corporation has ten (10) or less stockholders, a listing of all the stockholders:

Name	Address	Relationship
<u>See Attachment B</u>		

(c) That the following is a list of all partners, both general and limited, in any
partnership of the foregoing:

Name	Address	Relationship
<u>None</u>		

2. That no member of the City Council, Planning Commission, BZA, or BAR has any interest in the outcome of the decision. EXCEPT AS FOLLOWS: (If none, so state.)

None

3. That within five (5) years prior to the filing of this application, no member of the City Council, Planning Commission, BZA, or BAR or any member of his or her immediate household and family, either directly or by way of a corporation or a partnership in which anyone of them is an officer, director, employee, agent, attorney, or investor has received any gift or political contribution in excess of \$100 from any person or entity listed in paragraph one.

EXCEPT AS FOLLOWS: (If none, so state.)

None

4. That I understand that I or a designated representative must be present at the meeting or this application will be deferred by the Board of Architectural Review.

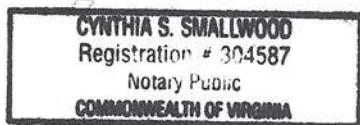
WITNESS the following signature:


Applicant

Lynne J. Strobel, Attorney/Agent
for Oak Knolls Realty Corp.

ALL APPLICANTS MUST SIGN AND HAVE THEIR SIGNATURES NOTARIZED.

The above affidavit was subscribed and confirmed by oath or affirmation before me on this
11th day of September, 2013, in the State of Virginia
My commission expires December 31, 2014.



304587
Notary Public/Registration No.

City of Fairfax
Department of Community Development and Planning
10455 Armstrong Street, Annex Room 207
Fairfax, VA 22030

ATTACHMENT A

Oak Knolls Realty Corp.

Applicant/Title Owner

800 Slaters Lane

Alexandria, Virginia 22314

Agents: Stephen A. Bannister

Rebecca J. Pelino

Walsh, Colucci, Lubeley, Emrich &

Attorneys/Planners/Agent for Applicant

Walsh, P.C.

2200 Clarendon Boulevard, 13th Floor

Arlington, Virginia 22201

Agents: Martin D. Walsh

Lynne J. Strobel

M. Catharine Puskar

Sara V. Mariska

G. Evan Pritchard

Jonathan D. Puvak

Elizabeth D. Baker

Inda E. Stagg

ATTACHMENT B

Oak Knolls Realty Corp.

Shareholders: Stephen A. Bannister
Rebecca J. Pelino

Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.

Shareholders:

David J. Bomgardner, E. Andrew Burcher, Thomas J. Colucci, Michael J. Coughlin, Peter M. Dolan, Jr., Jay du Von, William A. Fogarty, John H. Foote, H. Mark Goetzman, Bryan H. Guidash, Michael D. Lubeley, J. Randall Minchew, M. Catharine Puskar, John E. Rinaldi, Kathleen H. Smith, Lynne J. Strobel, Garth M. Wainman, Nan E. Walsh, Martin D. Walsh

STATEMENT OF DESIGN INTENT

Oak Knolls is an existing garden-style apartment complex containing of 110 units. Oak Knolls Realty Corp. (the "Applicant") recently acquired the property from a long term owner. At the time of acquisition, 27 units were vacant. The existing apartments have required extensive repairs and renovations to ensure full occupancy and to improve existing conditions for residents.

The Applicant sought and received administrative approval for three (3) modifications to the Oak Knolls Apartments. These modifications specifically allowed replacement of an existing split rail wooden fence with a wrought-iron aluminum metal railing fence, the painting of the apartment buildings' trim and fascia pieces Sherwin Williams Gray (SW-7052) and updating an existing monument sign located at 3979 Oak Street. With this application, the Applicant also proposed to paint the buildings' front and side façades the same color as the trim and fascia. Given that all of the requests were part of one submission, the Applicant believed the painting of the buildings' facades had been approved. Unfortunately, the Applicant did not notice that the painting of the buildings was not listed in the administrative approval. Therefore, the work began, and some of the façades have been painted with primer. It has since come to the Applicant's attention that the painting of the buildings' exterior cannot be administratively approved, thereby generating the need for this second application.

The Applicant proposes to paint the exterior front and side façades of the Oak Knolls Apartments using Benjamin Moore 'Barren Plain' Gray (BM-2111-60). This color will also replace the gray administratively approved for the trim and fascia. A color sample was previously submitted to your office. The Applicant has selected this color to enliven the existing buildings and to improve a drab façade. The monochromatic color scheme will give the building a newer and more residential appearance. This type of color scheme has been successfully used by the Applicant at Cardinal Court in the City of Fairfax, and in single family home design. In addition, painting the buildings will help to seal the old brick which is being penetrated by water due to its softness and age. Water infiltration is a serious problem for the existing apartment units.



Lynne J. Strobel
(703) 528-4700 Ext. 5418
lstrobel@arl.thelandlawyers.com

**WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC**

September 11, 2013

Via Hand Delivery

David Hudson
Director, Community Development and Planning
City of Fairfax
10455 Armstrong Street, Room 207
Fairfax, Virginia 22030

Re: Board of Architectural Review Submission
Applicant: Oak Knolls Realty Corp.

Dear Mr. Hudson:

Please accept the enclosed application requesting a hearing before the Board of Architectural Review (BAR) for the painting of the Oak Knolls Apartments' exterior building façades. The Applicant proposes to repaint the exterior façades using Benjamin Moore 'Barren Plain' Gray (BM-2111-60), which will be compatible with the Sherwin Williams Gray (SW-7052) administratively approved for the trim and fascia.

I have enclosed the following application materials for your review and acceptance:

- A completed application form and affidavit;
- A comprehensive statement of design intent;
- A check in the amount of \$125.00 made payable to the City of Fairfax that represents the filing fee.

I would appreciate the acceptance of this application at your earliest convenience and the scheduling of a presentation before the BAR on September 18, 2013. Should you have any questions regarding the submission, or require additional information, please do not hesitate to contact me.

PHONE 703 528 4700 • FAX 703 525 3197 • WWW.THELANDLAWYERS.COM
COURTHOUSE PLAZA • 2200 CLARENDON BLVD., THIRTEENTH FLOOR • ARLINGTON, VA 22201-3359

LOUDOUN OFFICE 703 737 3633 • PRINCE WILLIAM OFFICE 703 680 4664


ATTORNEYS AT LAW

12.

As always, I appreciate your assistance.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.



Lynne J. Strobel

LJS/kae

Enclosures

cc: Mike Jaskiewicz
Stephen Bannister

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City of Fairfax, Virginia
Board of Architectural Review
Administrative Review

BAR #: A 984-13-1
13070019
Date: 08/01/2013

Subject: Oak Knolls Apartments
Fence to railing change + repainting trim/fascia

Applicant: Oak Knolls Realty Corp.
800 Slaters Lane
Alexandria, VA 22314

Representative: Bennie Breighner

Address: 3979 Oak Street
Fairfax, VA 22030

Property Zoning: RM Multifamily

Description of Proposal: Request to make three site and building changes: 1. Replace an existing split-rail wooden fence with a wrought-iron aluminum metal railing, 2. Paint the various site residential buildings' trim and fascia pieces a different color (Sherwin Williams Gray Area), and 3. Update an existing monument sign, at a site located at 3979 Oak Street.

Checklist:

- ☒ Applicant has submitted all necessary materials.
- ☒ Proposal complies with zoning.
- ☒ Proposal complies with design guidelines.

Decision:


Pursuant to Chapter 110 of the Code of the City of Fairfax, the proposed addition(s) or modification(s) as described above is:

- ☐ Denied
- ☐ Approved
- ☒ Approved with Conditions as below:
 - 1) All site construction shall be in substantial conformance with the plans, and the building trim and fascia shall be repainted in a putty color (Sherwin Williams SW 7052 Gray Area).
 - 2) The applicant shall obtain any necessary building and sign permits necessary to complete these approved site and building changes.

Analysis:

The applicant requests the ability to make three changes to the subject property. One requested change would replace an existing section of split-rail wooden fencing adjacent to an existing staircase and retaining wall between two residential buildings with a black wrought-iron aluminum metal railing. The second requested change would be to repaint the trim and fascia on the entirety of each existing residential building from its current tan brick color to a new contrasting putty color (Sherwin Williams SW 7052 – Gray Area). The third requested change would be to update an existing monument sign.

All requested site and building changes will be in general conformance with the recommendations of the Community Appearance Plan. Staff therefore recommends approval of this Administrative Review subject to the two conditions so stated herein.


Community Development Division Chief, for
David Hudson, Director
Community Development & Planning

August 1, 2013
Date

Please note: A. This certificate shall become null and void if no significant improvement or alteration is made in accordance with the approved application within twelve (12) months from the date of approval.
B. The applicant shall not deviate from the approved design.
C. The applicant shall be responsible for obtaining all required permits prior to construction or installation.